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RIGHTS OF THE CHILD

Written statement submitted by Anti-Slavery International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31

[20 December 1999]

GE.00-10516 (E)

1. The trafficking of children, whereby a child is transported from one place to another for the economic benefit of the trafficker, is a growing international problem.

2. There is already a considerable body of international law which prohibits child trafficking, including the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and of Institutions and Practices Similar to Slavery, the 1989 Convention on the Rights of the Child (art. 35), and the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Article 3 of International Labour Organization (ILO) Convention No. 182 concerning the worst forms of child labour, adopted last year, also prohibits specifically the trafficking of children.

3. The 1999 report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/1999/71/Add.1) focused on the trafficking of children in the South-East Asian region. The Special Rapporteur found that all six countries in the South-East Asian peninsula (China, Cambodia, Myanmar, Viet Nam, Thailand and the Lao People's Democratic Republic) have been affected by the trafficking of women and children.

4. Anti-Slavery International has been working with partner agencies in West and Central Africa for two years in order to draw attention to the trafficking of children in the region. As in South-East Asia, children in West and Central Africa are trafficked into several types of economic activity. Studies have shown that children are trafficked from Benin to Gabon to be used as domestic servants, from Mali to Côte d'Ivoire to work on agricultural plantations, from Togo to Gabon, Nigeria, Côte d'Ivoire, Burkina Faso and also, on occasion, to countries in Europe for use as domestic servants, market traders, child beggars and prostitutes.

5. Benin, in an effort to curb the illegal departure of many hundreds of minors from its shores, enacted new legislation in 1995 that regulates the travel of children under the age of 14. However, according to a 1998 report from the Brigade de la Protection de Mineurs (BPM), which is the police unit in Benin concerned with children, more than 800 children were intercepted in Benin during 1997 in the process of being transported abroad to be used as forced labour. More recently, two reports from January and June 1999 refer to the arrest of traffickers in Benin attempting to transport children to Gabon and Nigeria.

6. Anti-Slavery International recently commissioned a report from a partner organization in Benin, Enfants Solidaires d'Afrique et du Monde (ESAM), in order to examine the trafficking of children between Benin and Gabon. The researchers interviewed 138 children who had been trafficked to Gabon. Nearly three quarters of the children were from Benin with the rest coming from Togo. Ninety per cent of the children trafficked were girls who can fulfil a dual role as domestic workers and assistants to market traders.

7. Traffickers promise good money and training in order to persuade the parents to send their children abroad. However, after the children arrive in Gabon neither the child nor their parents are paid for the work they do. The children interviewed in Gabon often told harrowing stories of their journey from Benin to Gabon and many complained of bad working conditions and being deprived of food once they arrived. Over half of the children interviewed said that they had been beaten by their employers.

8 Even where children are rescued from these conditions, they are likely to encounter feelings of alienation from their own families and cultures and must undergo a long and difficult task of reintegration

9 Anti-Slavery believes the evidence gathered by its partners in West Africa and by the Special Rapporteur in South-East Asia are examples of a pattern of trafficking which is affecting children in many countries around the world and that there is an urgent need for concerted international action to address this grave human rights violation With this in mind, Anti-Slavery International would urge the Commission to press Member States to implement resolutions from the fifty-fifth session which are essential if the trafficking of children is to be halted We would particularly highlight the following recommendations

(a) That States should take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of, or the traffic of children for any purpose or in any form, while ensuring that the child victims are not penalized for such practices, as called for in Commission resolution 1999/80 on the rights of the child,

(b) That States should criminalize effectively and ensure the prosecution of offenders, whether local or foreign, by the competent national authorities, either in the offender's country of origin or in the destination country, in accordance with due process of law, as called for in Commission resolution 1999/80,

(c) That there should be improved cooperation between national and international law enforcement agencies, and in particular the International Criminal Police Organization (INTERPOL), responsible for detecting and intercepting child traffickers, as well as tracing the families of the trafficked children Child victims of trafficking should be fully protected and not treated as illegal immigrants, as called for in the report of the United Nations Working Group on Contemporary Forms of Slavery (Sub-Commission resolution 1999/17),

(d) Governments should conclude bilateral, subregional, regional and international agreements to address the problem of trafficking and to take appropriate steps to address the root causes that encourage trafficking, as called for in Commission resolution 1999/40 on traffic in women and girls,

(e) That all States that have not already done so should ratify existing international human rights and labour standards which prohibit the sale and trafficking of children, including the new ILO Convention No 182 on the worst forms of child labour

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